

AMENDMENTS TO THE CLAIMS

1. (currently amended) A human milk supplement comprising:
 - a. 35% by dry weight or more of a fat component;
 - b. less than 10% by dry weight ~~or less~~ of a carbohydrate component; and
 - c. a protein component suitable for infant consumption selected from the group consisting of intact milk protein isolate, hydrolyzed whey protein isolate and combinations thereof.
2. (original) The human milk supplement of claim 1 wherein said fat component is present in said supplement in an amount of at least about 39% by dry weight.
3. (original) The human milk supplement of claim 1 wherein said carbohydrate component is present in said supplement in an amount of no greater than about 8% by dry weight.
4. (original) The human milk supplement of claim 1 wherein said fat component is present in said supplement in an amount of at least about 39% by dry weight and said carbohydrate component is present in said supplement in an amount of no greater than about 8% by dry weight.
5. (original) The human milk supplement of claim 1 wherein said fat component is present in said supplement in an amount of about 40% by dry weight and said carbohydrate component is present in said supplement in an amount of about 8% by dry weight.
6. (previously amended) The human milk supplement of claim 1 wherein said protein component is present in an amount of about 39% by dry weight.
7. (original) The human milk supplement of claim 1 wherein the caloric content of said supplement comprises greater than about 62% fat and less than about 5% carbohydrates.
8. (original) The human milk supplement of claim 1 wherein said fat component comprises medium chain triglycerides.
9. (original) The human milk supplement of claim 1 further comprising protein chosen from the group consisting of whey and casein protein.
10. (previously canceled)

11. (previously canceled)

12. (previously amended) The human milk supplement of claim 1 wherein said fat component comprises medium chain triglycerides.

13. (original) A method of feeding a preterm infant comprising administering to said infant a supplement as set forth in claim 1.

14. (previously canceled)

15. (previously submitted) The human milk supplement of claim 1 wherein said supplement is in powder form.

16. (previously submitted) The human milk supplement of claim 1 wherein said supplement is in liquid form.

17. (canceled)

18. (canceled)

19. (canceled)

20. (canceled)

21. (canceled)

22. (canceled)

23. (canceled)

24. (canceled)

25. (canceled)

26. (canceled)

27. (withdrawn-currently amended) A method of supplementing the nutritional value of human milk comprising ~~adding to said human milk~~ supplying a human milk supplement for admixture to

human milk, wherein said human milk supplement comprising comprises: (a) 35% by dry weight or more of a fat component, (b) 10% by dry weight or less of a carbohydrate component, and a protein component suitable for infant consumption selected from the group consisting of intact milk protein isolate, hydrolyzed whey protein isolate and combinations thereof, and wherein said supplement is in a powder or liquid form.

28. (withdrawn) The method of claim 27 wherein said fat component is present in said supplement in an amount of at least 39% by dry weight.

29. (withdrawn) The method of claim 27 wherein said carbohydrate component is present in said supplement in an amount of about 8% or less by dry weight.

30. (withdrawn) The method of claim 27 wherein said fat component is present in said supplement in an amount of at least 39% by dry weight and said carbohydrate component is present in said supplement in an amount of about 8% or less by dry weight.

31. (withdrawn) The method of claim 27 wherein said fat component is present in said supplement in an amount of about 40% by dry weight and said carbohydrate component is present in said supplement in an amount of about 8% by dry weight.

32. (withdrawn) The method of claim 27 wherein said protein component is present in said supplement in an amount of about 39% by dry weight.

33. (withdrawn) The method of claim 29 wherein the caloric content of said supplement comprises greater than 62% fat and less than 5% carbohydrates.

34. (withdrawn) The method of claim 27 wherein said fat component comprises medium chain triglycerides.

35. (withdrawn) The method of claim 27 wherein said protein component is selected from the group consisting of whey protein, casein protein, and combinations thereof.

36. (new) A method of supplementing the nutritional value of human milk comprising supplying the human milk supplement of claim 1 for admixture to human milk.


reduce carbon dioxide production by the infant. Infant formulas are significantly different than human milk supplements in that, by regulation, an infant formula must be nutritionally complete, and one of ordinary skill in the art knows this. Human milk supplements do not have this requirement as they rely on breast milk to supply the missing nutritional components that must be in an infant formula (e.g., macro and micro nutrients, etc.) As such, Neylan *et al.* is non-analogous art. Secondly, the applicants manipulate carbohydrates and fats to reduce the increase in the rise in osmolality when their human milk supplement is mixed with human milk, not for the reduction of carbon dioxide production. One of ordinary skill in the art would not, therefore look to Neylan *et al.* because their teaching is not applicable to the human milk supplement of Barrett-Reis, and cannot, therefore over come the stated deficiencies of Barrett-Reis.

In summary, in view of the foregoing arguments and amendments, applicants respectfully submit that claims 1-9, 12-13, 15, 16, and 27-36 are patentably distinct over the references cited by the Examiner and meet all other statutory requirements. Applicants believe that the present Application is now in complete condition for allowance and, therefore, respectfully request the Examiner to reconsider the rejections in the Office Action and allow this Application. The Examiner is invited to telephone the undersigned should any issues remain after the consideration of this response.

Please charge any additional fees that may be required to Deposit Account No. 50-4127.

Bristol-Myers Squibb Company
Mead Johnson & Company
2400 W Lloyd Expressway (B604)
Evansville, IN 47721-0001

Respectfully submitted,


Richard D. Schmidt
Attorney for Applicant
Reg. No. 31,301
Phone: 812-429-7825
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